

AMENDED IN SENATE AUGUST 4, 2014

AMENDED IN ASSEMBLY MAY 13, 2014

AMENDED IN ASSEMBLY MAY 6, 2014

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1930

Introduced by Assembly Member Skinner

February 19, 2014

An act to add Section 18901.11 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1930, as amended, Skinner. CalFresh: student eligibility.

Existing federal law, the Food Stamp Act, law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh. ~~The act allocates CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state to be by the federal government are distributed to eligible individuals by each county. The act generally requires each household member, as a condition of SNAP eligibility, to comply with specified work requirements, including participation in a Food Stamp Employment and Training (E&T) program administered by a state agency, as specified, unless an exemption applies. The act further~~ Under existing law, households are eligible to receive CalFresh benefits to the extent permitted by federal law. Existing federal law provides that students who are enrolled in college or other institutions of higher education at least half time are not eligible for SNAP benefits unless

they meet one of several *specified* exemptions, including ~~working at least 20 hours a week or participating in specified employment training programs, including an E&T program described above.~~ *programs.*

Existing law establishes the Community College Extended Opportunity Programs and Services (EOPS) to encourage local community colleges to establish and implement programs directed to identifying those students affected by language, social, and economic handicaps, and to assist those students to achieve their educational objectives and goals, including, but not limited to, obtaining job skills, occupational certificates, or associate degrees, and transferring to 4-year institutions.

This bill would require county human services ~~agencies~~ *agencies*, in determining the eligibility and benefit level of a student ~~subject to the student work requirement described above, to screen for~~ *for CalFresh benefits, to consider* all potential exemptions ~~to that rule~~ using a specified protocol. The bill would ~~require that students who participate in the EOPS program be considered exempt from the student work requirement as specified, provide that, for the purposes of determining eligibility, the EOPS program is a specified employment training program, thereby qualifying a student participating in the EOPS program for an exemption, unless prohibited by federal law.~~ The bill would also require the State Department of Social Services, in consultation with representatives from other specified organizations, to establish a protocol ~~to screen for~~ *identify and grant* all potential exemptions ~~to the rule and to identify and verify participation in the EOPS program, criteria for self-initiated placement, program and other educational programs~~ *programs, including self-initiated placements, that would exempt a student from the student work requirement.* *qualify a student for an exemption.* The bill would require the department to implement these provisions by all-county letters or similar instructions beginning no later than October 1, 2015, until regulations are adopted, and would require the department to adopt regulations on or before October 1, 2017. *The bill would require the department to seek and obtain federal approval, as specified, prior to publishing that guidance or regulation, if the United States Department of Agriculture requires federal approval.* By imposing new duties on county welfare departments, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to increase
2 college graduation rates of low-income Californians and to reduce
3 the incidence of economic hardship and hunger among low-income
4 college students.
5 SEC. 2. Section 18901.11 is added to the Welfare and
6 Institutions Code, to read:
7 18901.11. (a) In determining the eligibility and benefit level
8 of a student subject to the ~~student work requirement~~ *eligibility rule*
9 ~~described in subdivision (a) of Section 273.5 of Subpart C of Part~~
10 ~~273 Section 273.5(a) of Title 7 of the Code of Federal Regulations,~~
11 ~~county human services agencies shall screen for~~ *consider* all
12 potential exemptions ~~to the requirement described in Section~~
13 ~~273.5(b) of Title 7 of the Code of Federal Regulations,~~ using the
14 protocol established ~~in pursuant to~~ subdivision (c).
15 (b) ~~Students participating in~~ *For the purposes of Section*
16 ~~273.5(b)(11)(ii) of Title 7 of the Code of Federal Regulations,~~ the
17 Community College Extended Opportunity Programs and Services
18 established pursuant to Article 8 (commencing with Section 69640)
19 of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education
20 Code shall be considered ~~exempt from the student work~~
21 ~~requirement pursuant to paragraph (11) of subdivision (b) of~~
22 ~~Section 273.5 of, and paragraph (1) of subdivision (c) of Section~~
23 ~~273.7 of, Subpart C of Part 273 an employment and training~~
24 ~~program established pursuant to Section 273.7 of Title 7 of the~~
25 ~~Code of Federal Regulations,~~ unless prohibited by federal law.
26 (c) The department shall, in consultation with representatives
27 of the office of the Chancellor of the California Community
28 Colleges, offices of the Chancellor of the California State
29 University, University of California Chancellors' offices, the
30 California Workforce Investment Board, county human services
31 agencies, and advocates for students and clients, establish a

1 protocol to ~~screen for~~ *identify and grant* all potential exemptions
2 to the ~~requirement described in subdivision (a) of Section 273.5~~
3 ~~of Subpart C of Part 273~~ *eligibility rule described in Section*
4 *273.5(a) of Title 7 of the Code of Federal Regulations*, and to
5 identify and verify participation in the Community College
6 Extended Opportunity Programs ~~and Services, criteria for~~
7 ~~self-initiated placement~~, and other educational ~~programs~~ *programs*,
8 *including, but not limited to, self-initiated placements*, that would
9 exempt a student from the ~~student work requirement~~. *eligibility*
10 *rule described in Section 273.5(a) of Title 7 of the Code of Federal*
11 *Regulations*. To the extent possible, this consultation shall take
12 place through existing workgroups convened by the department.

13 *(d) If the United States Department of Agriculture requires*
14 *federal approval of the exemption designation established pursuant*
15 *to subdivision (b) and the protocol established pursuant to*
16 *subdivision (c), the department shall seek and obtain that approval*
17 *before publishing the guidance or regulation required by*
18 *subdivision (f).*

19 ~~(d)~~

20 *(e) (1) This section shall does not require a county human*
21 *services agency to offer a particular component, support services,*
22 *or worker's compensation to a student found eligible for an*
23 *exemption pursuant to subdivision (a); this section.*

24 ~~(e)~~

25 *(2) This section shall does not restrict or require the use of*
26 *federal funds for the financing of CalFresh E&T programs.*

27 *(3) This section does not require a college or university to*
28 *provide a student with information necessary to verify eligibility*
29 *for CalFresh.*

30 *(f) Notwithstanding the rulemaking provisions of the*
31 *Administrative Procedure Act (Chapter 3.5 (commencing with*
32 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
33 *Code), the department shall implement this section by all-county*
34 *letters or similar instructions beginning no later than October 1,*
35 *2015, until regulations are adopted. The department shall adopt*
36 *regulations implementing this section on or before October 1,*
37 *2017.*

38 SEC. 3. If the Commission on State Mandates determines that
39 this act contains costs mandated by the state, reimbursement to
40 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

O